

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

KNOX TRAILERS, INC., et al,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:20-cv-137
)	
JEFF CLARK, et al,)	JURY TRIAL DEMANDED
)	
Defendants.)	

PLAINTIFFS' REVISED PROPOSED VERDICT FORM

We, the jury, unanimously answer the questions submitted by the Court as follows:

ISSUE ONE: MISAPPROPRIATION OF TRADE SECRETS

Titan Trailer Repair and Sales, LLC

1. Do you find by a preponderance of the evidence that Titan Trailer Repair and Sales, LLC violated the federal Defend Trade Secrets Act?

Answer: Yes _____ or No _____

2. Do you find by a preponderance of the evidence that Titan Trailer Repair and Sales, LLC violated the Tennessee Uniform Trade Secrets Act?

Answer: Yes _____ or No _____

If you answered yes to Questions 1 or 2, answer Question 3. If not, go to Question 4.

3. Do you find that Titan Trailer Repair and Sales, LLC's misappropriation of trade secrets was willful or malicious?

Answer: Yes _____ or No _____

Billy Maples

4. Do you find by a preponderance of the evidence that Billy Maples violated the federal Defend Trade Secrets Act?

Answer: Yes _____ or No _____

5. Do you find by a preponderance of the evidence that Billy Maples violated the Tennessee Uniform Trade Secrets Act?

Answer: Yes _____ or No _____

If you answered yes to Questions 4 or 5, answer Question 6. If not, go to Question 7.

6. Do you find that Billy Maples' misappropriation of trade secrets was willful or malicious?

Answer: Yes _____ or No _____

Misappropriation Damages – Compensatory Damages

7. What amount of damages do you find that Knox Trailers, Inc. should recover as a result of trade secret misappropriation?

Amount \$ _____

a. How much of this amount should be paid by Titan Trailer Repair and Sales, LLC?

Amount \$ _____

b. How much of this amount should be paid by Billy Maples?

Amount \$ _____

(The sum of amounts in Questions 7(a)-(b)) cannot be greater than the total amount listed in Question 7).

8. What amount of damages do you find that Post Trailer Repairs, Inc. should recover as trade secret misappropriation?

Amount \$ _____

a. How much of this amount should be paid by Titan Trailer Repair and Sales, LLC?

Amount \$ _____

b. How much of this amount should be paid by Billy Maples?

Amount \$ _____

(The sum of amounts in Questions 8(a)-(b) cannot be greater than the total amount listed in Question 8).

ISSUE TWO: BREACH OF FIDUCIARY DUTY

Billy Maples

9. Do you find by a preponderance of the evidence that Billy Maples breached his fiduciary duty to Knox Trailers, Inc.?

Answer: Yes _____ or No _____

If you answered yes to Question 9, go to Question 10. If not, go to Question 11.

10. What amount of damages do you find that Knox Trailers, Inc. should be awarded for Billy Maples' breach of fiduciary duty?

Amount \$ _____

11. Do you find by a preponderance of the evidence that Billy Maples breached his fiduciary duty to Post Trailer Repairs, Inc.?

Answer: Yes _____ or No _____

If you answered yes to Question 11, go to Question 12. If not, go to Question 13.

12. What amount of damages do you find that Post Trailer Repairs, Inc. should be awarded for Billy Maples' breach of fiduciary duty?

Amount \$ _____

Amanda Maples

13. Do you find by a preponderance of the evidence that Amanda Maples breached her fiduciary duty to Post Trailer Repairs, Inc.?

Answer: Yes _____ or No _____

If you answered yes to Question 13, go to Question 14. If not, go to Question 15.

14. What amount of damages do you find that Post Trailer Repairs, Inc. should be awarded for Amanda Maples' breach of fiduciary duty?

Amount \$ _____

ISSUE THREE: UNFAIR COMPETITION

15. Do you find by a preponderance of the evidence that Titan Trailer Repair and Sales, LLC engaged in unfair competition with Knox Trailers, Inc.?

Answer: Yes _____ or No _____

16. Do you find by a preponderance of the evidence that Billy Maples engaged in unfair competition with Knox Trailers, Inc.?

Answer: Yes _____ or No _____

If you answered yes to any of Questions 15 to 16, go to Question 17 If not, go to question 18.

17. What amount of damages should be awarded to Knox Trailers, Inc. for defendants' unfair competition?

Amount \$ _____

a. How much of this amount should be paid by Titan Trailer Repair and Sales, LLC?

Amount \$ _____

b. How much of this amount should be paid by Billy Maples?

Amount \$ _____

(The sum of amounts in Questions 17(a)-(b) cannot be greater than the total amount listed in Question 17).

ISSUE FOUR: CONVERSION

Titan Trailer Repair and Sales, LLC

18. Do you find by a preponderance of the evidence that Titan Trailer Repair and Sales, LLC converted Knox Trailers, Inc.'s property?

Answer: Yes _____ or No _____

If you answered yes to Question 18, go to Question 19. If not, go to Question 20

19. What amount of damages should be awarded to Knox Trailers, Inc. for Titan Trailer Repair and Sales, LLC's conversion?

Amount \$ _____

20. Do you find by a preponderance of the evidence that Titan Trailer Repair and Sales, LLC converted Post Trailer Repairs, Inc.'s property?

Answer: Yes _____ or No _____

If you answered yes to Question 20, go to Question 21. If not, go to Question 22.

21. What amount of damages should be awarded to Post Trailer Repairs, Inc. for Titan Trailer Repair and Sales, LLC's conversion?

Amount \$ _____

Billy Maples

22. Do you find by a preponderance of the evidence that Billy Maples converted Knox Trailers, Inc.'s property?

Answer: Yes _____ or No _____

If you answered yes to Question 22, go to Question 23. If not, go to Question 24.

23. What amount of damages should be awarded to Knox Trailers, Inc. for Billy Maples' conversion?

Amount \$ _____

24. Do you find by a preponderance of the evidence that Billy Maples converted Post Trailer Repairs, Inc.'s property?

Answer: Yes _____ or No _____

If you answered yes to Question 24 go to Question 25. If not, go to Question 26.

25. What amount of damages should be awarded to Post Trailer Repairs, Inc. for Billy Maples' conversion?

Amount \$ _____

Amanda Maples

26. Do you find by a preponderance of the evidence that Amanda Maples converted Post Trailer Repairs, Inc.'s property?

Answer: Yes _____ or No _____

If you answered yes to Question 26 go to Question 27. If not, go to Question 28.

27. What amount of damages should be awarded to Post Trailer Repairs, Inc. for Amanda Maples' conversion?

Amount \$ _____

ISSUE FIVE: CIVIL CONSPIRACY

Titan Trailer Repair and Sales, LLC

28. Do you find by a preponderance of the evidence that Titan Trailer Repair and Sales, LLC engaged in a civil conspiracy against Knox Trailers, Inc.?

Answer: Yes _____ or No _____

29. Do you find by a preponderance of the evidence that Titan Trailer Repair and Sales, LLC engaged in a civil conspiracy against Post Trailer Repairs, Inc.?

Answer: Yes _____ or No _____

Billy Maples

30. Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Knox Trailers, Inc.?

Answer: Yes _____ or No _____

31. Do you find by a preponderance of the evidence that Billy Maples engaged in a civil conspiracy against Post Trailer Repairs, Inc.?

Answer: Yes _____ or No _____

ISSUE SIX: PUNITIVE DAMAGES

32. If you found Titan Trailer Repair and Sales, LLC liable for conversion, unfair competition, or civil conspiracy, do you find by clear and convincing evidence that Titan Trailer Repair and Sales, LLC's conduct was intentional, reckless, malicious, or fraudulent?

Answer: Yes _____ or No _____

33. If you found Billy Maples liable for breach of fiduciary duty of loyalty, conversion, unfair competition, or civil conspiracy, do you find by clear and convincing evidence that Billy Maples' conduct was intentional, reckless, malicious, or fraudulent?

Answer: Yes _____ or No _____

34. If you found Amanda Maples liable for breach of fiduciary duty of loyalty, conversion, unfair competition, or civil conspiracy, do you find by clear and convincing evidence that Amanda Maples' conduct was intentional, reckless, malicious, or fraudulent?

Answer: Yes _____ or No _____

Presiding Juror: _____

Date: _____

Dated: September 22, 2022

Respectfully submitted,

/s/ Jimmy G. Carter, Jr.

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